



**Re: PH TCT meeting Wednesday , July 13 - BERA status**   
**Burt Shephard** to: Chip Humphrey, Kristine Koch

07/13/2011 10:09 AM

Chip, Kristine,

Elizabeth Allen filled me in, I have a presentation at 9:30 I'm involved with on Upper Columbia, so as you know I had to jump off the TCT call early.

When you talk with upper management, you can tell them that the first draft of the BERA was not acceptable to EPA. Not all required lines of evidence were evaluated (e.g. transition zone water risks), while some other lines of evidence were evaluated but subsequently eliminated by the LWG in their risk characterization (e.g. logistic regression predictions of sediment toxicity). The result was that we had a risk assessment that had made a number of management decisions regarding what was and was not an acceptable risk. Under CERCLA, those risk management decisions are to be made by EPA, not by PRPs.

Thus, the 1st draft BERA did not present complete risk characterizations of all exposure pathways defined in the ecological conceptual site model and problem formulation, or identify all chemicals within an exposure pathway or medium that posed potentially unacceptable ecological risks to one or more ecological receptors. In that regard, the 1st draft BERA was a failure. It did not provide the information needed by risk managers to allow them to make management decisions, at least not in a format where the risk characterization information was either complete or readily available.

The 1st draft BERA was a document that, despite containing relatively few technical flaws, did not fully identify and characterize site risks to ecological receptors.

Best regards,

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"If your experiment needs statistics to analyze the results, then you ought to have done a better experiment"

- Ernest Rutherford